

Docket No. 8697-001-27 PCT

09/44695/
PCT Rec'd 28 FEB 2001
#13

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
FOR THE PATENT COOPERATION TREATY (PCT)

IN RE APPLICATION OF: Stephen James DAVIS

SERIAL NO. 09/446,951

INTERNATIONAL

APPLICATION NO: PCT/AU98/00502

INTERNATIONAL

FILING DATE: 30 JUNE 1998

FOR: STEP APPARATUS

SUBMISSION OF SMALL ENTITY STATEMENT
AND REQUEST FOR REFUND

ASSISTANT COMMISSIONER FOR PATENTS
BOX PCT
WASHINGTON, D.C. 20231

SIR:

Submitted herewith is an executed Small Entity Statement for the above-identified U.S. National Stage patent application. This application was filed with a filing fee of \$2,464.00 on December 30, 1999. Thus, this Statement is being filed before the expiration of two months from payment of the filing fee.

Accordingly, a refund of one-half of the filing fee, or \$1,232.00, is respectfully requested. Please credit this refund to Deposit Account No. 50-0911. A duplicate of the transmittal letter accompanying this paper is enclosed.

Respectfully submitted,

LONG ALDRIDGE & NORMAN, LLP


Steven B. Kelber
Registration No: 30,073
Attorney of Record

Sixth Floor
701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone No: (202) 624-1200
Facsimile No: (202) 624-1298

Docket No.: 8697-001-27 P

Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STEP APPARATUS

the specification of which

is attached hereto.

was filed on _____

as Application Serial No. _____

and amended on _____

was filed as PCT international application

Number PCT/AU98/00502

on 30 June 1998

and was amended under PCT Art. 19 on 23 SEPTEMBER 1998
and Art. 34

on 11 JUNE 1999 (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.	Country	Day/Month/Year	Priority Claimed
PO7619	AUSTRALIA	30 JUNE 1997	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We (I) hereby claim the benefit under Title 35, United States Code, (e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)

(Application Number)

(Filing Date)

We (I) hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status (pending, patented, abandoned)

And we (I) hereby appoint Steven B. Kelber, Reg. No. 30,073; Marc R. Labgold, Ph.D., Reg. No. 34,651; Song K. Jung, Reg. No. 35,210; Sharon E. Crane, Ph.D., Reg. No. 36,113; Laura A. Donnelly, Reg. No. 38,435; Catherine Bax Richardson, Reg. No. 39,007; Kenneth D. Springer, Reg. No. 39,843; Russell C. Paige, Reg. No. 40,758; James M. Heintz, Reg. No. 41,828; Laura D. Nammo, Reg. No. 42,024 and Amy L. Miller, Reg. No. 43,804 and as our (my) attorneys, with full powers of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith; and we (I) hereby request that all correspondence regarding this application be sent to Steven B. Kelber of Long Aldridge & Norman LLP, Attorneys At Law, 6th Floor, 701 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Stephen James DAVIS

NAME OF FIRST SOLE INVENTOR

X S D

Signature of Inventor

X 4-1-00

Date

Residence: 1468 Wynnum Road, Tingalpa, Queensland 4173, Australia

Ally

Citizen of: AUSTRALIA

Post Office Address: Same As Above

LONG ALDRIDGE & NORMAN LLP

0015 227 8 6-0
APPLICANT OR PATENTEE:

Stephen James DAVIS

SERIAL OR PATENT NO.:

New PCT National Stage Application

ATTORNEY DOCKET NO.: 8697-001-27 PCT

FILED OR ISSUED:

Herewith

FOR: STEP APPARATUS

Verified Statement (Declaration) Claiming Small Entity Status
(37 CFR §1.9(e) and §1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR §1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

STEP APPARATUS

DESCRIBED IN

 THE SPECIFICATION FILED filed as INTERNATIONAL APPLICATION NO. PCT/AU98/00502 on JUNE 30, 1998. APPLICATION SERIAL NO.: _____, FILED: _____ PATENT NO.: _____, ISSUED: _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR §1.9(e) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

 NO SUCH PERSON, CONCERN, OR ORGANIZATION PERSONS, CONCERNS OR ORGANIZATIONS LISTED BELOW*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention according to the status as small entities. (37 CFR §1.27).

FULL NAME: _____

ADDRESS: _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME: _____

ADDRESS: _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

FULL NAME: _____

ADDRESS: _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: Stephen James DAVIS

SIGNATURE: X S.D.DATE: X 3 4-1-2000

NAME OF INVENTOR: _____

SIGNATURE: _____

DATE: _____

NAME OF INVENTOR: _____

SIGNATURE: _____

DATE: _____